

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CYNTHIA HINES,

Plaintiff,

No. 19-13390

v.

Hon. Nancy G. Edmunds

SHERWOOD FOOD DISTRIBUTORS,

Defendant.

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**ORDER REMANDING PLAINTIFF'S STATE LAW CLAIMS**

Plaintiff Cynthia Hines filed suit against Defendant Sherwood Food Distributors in the Wayne County Circuit Court, but Defendant removed the action to this Court on November 18, 2019. Plaintiff's complaint brings discrimination, hostile work environment, and retaliation claims pursuant to both Title VII of the Civil Rights Act of 1964 and Michigan's Elliott-Larsen Civil Rights Act, as well as claims of negligent supervision and negligent infliction of emotional distress.

Since the parties in this matter are nondiverse, the Court declines to exercise supplemental jurisdiction over Plaintiff's state law claims so as to avoid jury confusion. *See* 28 U.S.C. § 1367(c)(4); *Moor v. Cty. of Alameda*, 411 U.S. 693, 716 (1973); *Padilla v. City of Saginaw*, 867 F. Supp. 1309, 1315 (E.D. Mich. 1994). Therefore, pursuant to 28 U.S.C. § 1367(c), all of Plaintiff's state law claims, including the claims in Counts II, IV, VI, VII, and IX of her complaint, are hereby REMANDED to the Wayne County Circuit Court. The Court will retain jurisdiction over Plaintiff's federal claims only.

SO ORDERED.

s/Nancy G. Edmunds  
Nancy G. Edmunds  
United States District Judge

Dated: November 20, 2019

I hereby certify that a copy of the foregoing document was served upon counsel of record on November 20, 2019, by electronic and/or ordinary mail.

s/Lisa Bartlett  
Case Manager